

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:04CR288
)	
vs.)	ORDER
)	
MARY S. BECERRA,)	
)	
Defendant.)	

This matter is before the court on the motion of Bill Bracker to withdraw as counsel for defendant Mary S. Becerra (Becerra) (Filing No. 38). The United States Court of Appeals has upheld the dismissal of the Second Superseding Indictment and the Superseding Indictment, however the dismissal of the Superseding Indictment is without prejudice (Filing No. 37). Consequently, this case is completed unless prosecution is recommenced. Accordingly, Mr. Bracker's motion to withdraw (Filing No. 38) is granted. Should the prosecution be recommenced, Becerra may request the appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska.

IT IS SO ORDERED.

DATED this 10th day of February, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge